

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. 06-561M  
)  
Plaintiff, )  
)  
v. )  
) DETENTION ORDER  
TAI VAN NGUYEN, )  
)  
Defendant. )  
\_\_\_\_\_ )

Offense charged:

Conspiracy to Transport and Harbor Aliens; Harboring Aliens: Employing Ten or more  
Unauthorized Aliens; Conspiracy to Commit Offense against the United States; Mail Fraud; Wire  
Fraud; Conspiracy to Commit Money Laundering; Money Laundering; Forfeiture

Date of Detention Hearing: October 24, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
that no condition or combination of conditions which defendant can meet will reasonably assure  
the appearance of defendant as required.

01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 (1) Defendant has been indicted in the Northern District of Ohio on the above-listed  
03 charges. He has waived an identity hearing and an Order of Transfer has been signed.

04 (2) Defendant is in poor health. He is reported to have active tuberculosis as well as  
05 diabetes, heart problems and hepatitis. Defendant was born in Vietnam. He came to the United  
06 States in 1981 and is a U.S. citizen. His wife currently resides in Vietnam as well as other family  
07 members. His daughter resides in Texas.

08 (3) Defendant has no ties to this District, having been arrested at the airport on the  
09 instant charges while returning to the United States from a six month trip to Vietnam. He was  
10 traveling to Philadelphia, Pennsylvania, where he resided prior to his trip to Vietnam. He  
11 suggested residing with his brother in Philadelphia as a condition of pretrial release but Pretrial  
12 Services was unable to contact the brother for verification. Defendant has been unemployed for  
13 the past five years and is receiving disability payments.

14 (4) Defendant poses a risk of nonappearance due to lack of verified residence, recent  
15 travel to Vietnam, strong family ties to Vietnam, lack of ties to this District and the nature of the  
16 current charges which involve the use of fraudulent identification documents and access to case  
17 resources. He does not pose a risk of danger. He indicates his desire to continue to obtain  
18 verification of his ability to reside with his brother as a condition of release, and to present this  
19 information to the court at his first appearance in the Northern District of Ohio.

20 (5) There does not appear to be any condition or combination of conditions that will  
21 reasonably assure the defendant's appearance at future Court hearings.

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It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 24th day of October, 2006.

  
Mary Alice Theiler  
United States Magistrate Judge